



California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

Certified Mail: 7003 1680 0000 6174 7534

May 16, 2006

Ms. Terry Barber, Director
Siskiyou County Environmental Health
806 South Main Street
Yreka, California 96097-3321

Dear Ms. Barber:

The California Environmental Protection Agency (Cal/EPA), Office of Emergency Services, State Water Resources Control Board, and the Department of Toxic Substances Control conducted a program evaluation of Siskiyou County Environmental Health's Certified Unified Program Agency (CUPA) on June 21 & 22, 2005. The evaluation was comprised of an in-office program review and field inspections. The state evaluators completed a Certified Unified Program Agency Evaluation Summary of Findings with your agency's program management staff, which included identified deficiencies, preliminary corrective actions, and timeframes.

On September 1, 2005, Cal/EPA received hardcopy documentation of corrective actions taken by the Siskiyou County Environmental Health for deficiencies found during the evaluation process. After reviewing the Summary of Findings and the documentation of corrective actions, I find that all deficiencies noted in the Summary of Finding have been corrected.

Cal/EPA appreciates the corrective actions taken by Siskiyou County Environmental Health. Having determined that Siskiyou County Environmental Health has corrected all of its deficiencies, Cal/EPA has modified Siskiyou County Environmental Health's program status from satisfactory with some improvement needed to meets program standards.

Thank you for your continued commitment to the protection of public health and the environment. If you have any questions or need further assistance, you may contact Jim Bohon, Manager, Cal/EPA Unified Program at (916) 327-5097 or jbohon@calepa.ca.gov.

Sincerely,

[Original signed by Don Johnson]

Don Johnson
Assistant Secretary
California Environmental Protection Agency

Enclosures

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cc: Mr. David J. Herfindahl, Public Health Director (Sent Via Email)
Siskiyou County Environmental Health
806 South Main Street
Yreka, California 96097-3321

Mr. Mickey Pierce (Sent Via Email)
Department of Toxic Substances Control
700 Heinz Avenue, Suite 210
Berkeley, California 94710-2721

Mr. Jack Harrah (Sent Via Email)
Governor's Office of Emergency Services
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Rancho Cordova, California 95741-9047

Mr. Charles McLaughlin (Sent Via Email)
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Mr. Moustafa Abou-Taleb (Sent Via Email)
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Mr. James Giannopoulos (Sent Via Email)
State Water Resources Control Board
P. O. Box 944212
Sacramento, California 94244-2102

Ms. Vickie Sakamoto (Sent Via Email)
Office of the State Fire Marshal
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Sacramento, California 94244-2460



STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY



Alan C. Lloyd, Ph.D.
Agency Secretary

CERTIFIED UNIFIED PROGRAM AGENCY EVALUATION
SUMMARY OF FINDINGS

Arnold
Schwarzenegger
Governor

CUPA: Siskiyou County Environmental Health

Evaluation Date: June 21 & June 22, 2005

EVALUATION TEAM

Cal/EPA: Tina Gonzales
SWRCB: Ahmad Kashkoli
OES: Jack Harrah
DTSC: Mickey Pierce
OSFM: N/A

This Summary of Findings includes the deficiencies identified during the evaluation, observations and recommendations for program improvement, and examples of outstanding program implementation activities. The evaluation findings are preliminary and subject to change upon review by state agency and CUPA management. Questions or comments can be directed to Tina Gonzales at (916) 322-2155.

	<u>Deficiency</u>	<u>Preliminary Corrective Action & Timeframe</u>
1	The CUPA's Permit Plan is lacking a flow chart showing the permitting procedures.	Develop a permit flow chart to incorporate in the Permit Plan Binder within the next 90 days.
2	The CUPA is not able to adequately track and report violations of hazardous waste statute and regulation by classification. This was noted in the 01/02, 02/03, and 03/04 Report 4, as well as in the CUPA's self audits.	Develop a workplan for updating the data maintenance system to allow for the tracking of violation data.
3	One (USFS-Oak Knolls) of the ten files reviewed contained a violation of hazardous waste regulations, but did not include a notation in the file showing that the minor violation had been corrected within 30 days.	Two options: Develop a system by which the corrected violations can be certified as corrected by the business, independent of reinspection OR note on each inspection report the correction of each violation and the date corrected.
4	CUPA's UST facility files either lacked plot plans or the plot plans did not contain all the required elements. Three out of the seven UST files plot plans were not complete and one was missing.	Within the next six months, the CUPA will notify potentially affected UST owners/operators to request their immediate submission of detailed plot plans showing all the UST system monitoring locations. In the future, the CUPA staff will review the plot plans

Certified Unified Program Agency (CUPA)
Evaluation Summary of Findings

		for completeness prior to renewing permits and filing the documents in the facility files.
5	The CUPA has not reviewed and updated its Area Plan within the past three years. The existing Area Plan is dated 1984.	180 days
6	6 of 10 HMBP files reviewed did not have current inventories or certification statements. All but one of these were less than a year late.	1 year
7	The CUPA may not have identified all of its potential CalARP facilities. File review of JH Baxter's inventory forms turned up several aqua ammonia or ammonium hydroxide solutions that may be above the state threshold (500 pounds).	1 year
8	The CUPA is not currently regulating (inspecting) silver-only generators or farms in the HW program. Additionally, inspections are not being conducted for the Business Plan program.	Within 1 year collect and put into inventory all farms and silver-only facilities. Modifications to the inspection frequency in the Inspection and Enforcement Plan may be used to provide an extended timeframe for inspection in order to better match service provided and risk with the expected inspection frequency.

CUPA Representative _____

(Print Name)

(Signature)

Evaluation Team Leader _____

(Print Name)

(Signature)

Certified Unified Program Agency (CUPA)
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PROGRAM OBSERVATIONS AND RECOMMENDATIONS

1. **Observation:** The CUPA's Inspection and Enforcement Plan is not currently updated to reflect recent additions and changes.

Recommendation: Review and update the Inspection and Enforcement Plan annually and add new information and update as needed. The remote sites need to be added as well as the exemptions and other new information. Also, Red Tag Authority needs to be added.

2. **Observations:** At least one of the business plan files reviewed used older or self-generated forms for inventories. These forms did not contain all the information required by OES (UPCF) form 2731.

Recommendations: OES recommends that the CUPA ensure that all forms are current when the business does its three year business plan review. The inventory reviewed that was on older forms was from 2002 and is due for its three year review this year.

3. **Observation:** Observations in inspection reports have improved since the 2001 evaluation but are still lacking in some instances.

Recommendation: Keep up the improvement. Suggest reviewing the "Inspection Report Writing Guidance" document as a baseline for additional information that may be included in observations noted in reports.

4. **Observation:** Consent to inspect is not noted in reports.

Recommendation: Note consent in observations section.

5. **Observation:** The inspection report is designed for use with Small Businesses who generate less than 1000 kg. of waste in a month. The same report/checklist format is used for inspection of the one RCRA Large Quantity Generator. The existing report does not include a checklist or any other reference material which gives an indication of which regulations apply (specifically) at a business.

Recommendation: Adopt or have inspectors carry a "cheat sheet" of regulatory citations and applicable regulations to ensure that all applicable regulations are being checked. A separate checklist could be developed for the one RCRA LQG site to ensure that the different rules that apply to that one site are being followed since inspectors are not required to use this knowledge but once a year.

6. **Observation:** None of the files reviewed contained any violations since 2002. Violations noted in the 2002 and prior reports do not have complete documentation for violations. These violations were lacking the basis for the violation, the section that was violated and the timeframe for correction.

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Recommendation: Keep up the improvement seen since 2001 evaluation. Suggest reviewing the “Inspection Report Writing Guidance” document as a baseline for information that is required to be included for violations noted in reports.

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EXAMPLES OF OUTSTANDING PROGRAM IMPLEMENTATION

1. The CUPA has provided good information links on the Siskiyou County Public Health Department web site for its Hazardous Materials Management Program. The links include: Hazardous Materials Business Plan, County of Siskiyou Fees table, downloadable forms, Emergency Notification Procedures, Hazardous Materials Waste and Tanks frequently asked questions, Public Health Department Complaint Form, and Requirements for Closure of Underground Storage Tanks.
2. The CUPA staff has been able to attend some classes each year, evidenced by the training logs kept in the training section of the binder. Staff was able to attend classes dealing with current events with Hazardous Waste, Bioterrorism, UST's, and incident command.
3. The CUPA has added the CA Environmental Enforcement Statutes, Penalty Provisions, Appeals, Citation Procedures, Underground Tanks, Hazardous Materials, and sample letters to the appendix as useful resource to its staff in its Inspection and Enforcement plan.
4. The CUPA has done a good job in getting all the last 3 years Summary Reports in early/on time by September 30th submitted to Cal/EPA.
5. The CUPA has done a good job in the collection of all accountable fees owed the State in Single Fees and State Surcharge rates. The rates collected range between 90-95% of those charged.
6. CUPA inspector conducted a through UST facility inspection on June 20, 2005 of the Miner Shell located on 511 Miner Street, Yreka.
7. The CUPA's facility files are neatly organized and information is easily obtained.
8. CUPA has a well implemented UST program, examples include:
 - UST facilities and inspected annually.
 - CUPA notifies UST owners/operators of upcoming deadlines and new requirements.
 - CUPA staff provide one-on-one assistance to UST owners / operators to fill out required UST forms (facility form, tank form, monitoring plan, response plan, etc.).
9. The CUPA's portable computer system allows forms to be generated on-site. This allows CUPA personnel to ensure that business plan is complete and up-to-date at the time of an inspection or other site visit, without carrying a lot of forms and then depending on the business to return them.
10. Use of GPS to obtain exact coordinates can be used in conjunction with GIS mapping to provide accurate and up-to-date maps for first responders and environmental planners.

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Evaluation Summary of Findings

- 11.** Inspection report documentation has greatly improved since the 2001 evaluation.
- 12.** Documentation relating to hazardous waste inspections was seen in many of the files reviewed in the “correspondence” section of the file. Files reviewed included the following information in this section: Tiered Permitting thought process and exemption documentation, Hazardous Waste Tracking System, and documentation of waste determination decisions (including sample results).
- 13.** CUPA had good documentation of outreach to business. One specific example was a letter written to the US Forest Service noting a pattern of problems at various USFS locations that invited the USFS to meet with the CUPA to discuss compliance and offering assistance. An additional example is the CUPA providing the UNIDOCs version of the SQG/CESQG self audit information to businesses to assist them in maintaining compliance between inspections. Finally, the CUPA has a portable laptop and printer station that it takes to businesses to assist in the filing out of forms if the inspection determines that certain types of paperwork are missing.
- 14.** The CUPA asked many questions about the proper regulatory status of industry sectors that are less commonly found in a CUPA jurisdiction.
- 15.** The CUPA is inspecting almost 91% of its regulated universe on an annual basis. The CUPA has set a goal of inspecting all facilities annually.
- 16.** The CUPA was aware of, had a plan for, and had conducted outreach regarding universal waste handlers by working with the local landfill and using household hazardous waste collection events.